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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/574,449	05/19/2000	Tom T.J. de Groot	PHB 34,345	8620

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

TRAN, TRANG U

ART UNIT	PAPER NUMBER
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2614

7

DATE MAILED: 10/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/574,449

Applicant(s)

DE GROOT ET AL.

Examiner

Trang U. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 4-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 4-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed July 28, 2003 have been fully considered but they are not persuasive.

In re pages 7-9, applicant argue that Oh fails to teach, show or imply the limitations an input for a further audio signal, said input coupled to a control and switching means operable to (1) connect said input to the audio signal processing means, (2) disconnect the coupling of tuner and audio signal processing means, (3) set the receiver to a predetermined volume and (4) enables selective output of the two or more audio channel signals to a plurality external speakers and the one or more speakers, whilst coupled to said input and it is not seen how Oh's integrated CD player and television receiver and associated collection of elements anticipates the claimed invention as asserted in the Office Action, without improper hindsight by "using the claimed invention itself as a blueprint for piecing together elements in the prior art to defeat the patentability of the claimed invention," see *In Re Denis Rouffet*, 47 USPQ 1453, 1457-58 (Fed. Cir. 1998). Although, Oh suggests a CDP 34 and third selector 62 they are used to solve a particular problem (i.e. integration of these components), and no motivation has been provided by the Office Action to show reasons that the skilled artisan, confronted with the same problems as the inventor would select the elements from the cited prior art references for combination in the manner claimed.

In response, the examiner respectfully disagrees. Oh et al discloses in col. 3, lines 5-7 that "The television control key portion 28 includes a channel up/down key, a

volume up/down key, a menu key, a TV/Video key, and a mute key". The claimed (3) set the receiver to a predetermine volume is met or anticipated by the volume up/down key of Oh et al.

Oh et al also discloses in col. 4, lines 8-23 that

"Audio signal processor 38 includes an **amplifier 60 for amplifying the audio signal A1 of the television signal from television signal receiver 32 to a level ranging from 0.4 Vrms to 2 Vrms**. A mixer 70 is included for mixing a signal input via a microphone 15 with the audio signal A2 output from compact disk player 34. **A third selector 62 selects and outputs the audio signal from amplifier 60 or the audio signal from mixer 70, and a surround processor 64 receives the audio signal selected by third selector 62 and stereophonically processes the input audio signal. An audio output 66 echo-processes the surround-processed audio signal and drives a pair of speakers 12.** A fifth selector 72 selects and outputs an input audio signal from among a plurality of externally input audio signal A11, A12 and S-A. The audio signal processor 38 also includes an audio input amplifier 68."

From the above passage, it is recognized that claimed (1) connect said input to the audio signal processing means is met or anticipated by **the third selector 62** of Oh et al because the third selector selects the audio signal from amplifier 60 or the audio signal from mixer 70 and outputs the selected audio signal to the surround processor 64, claimed (2) disconnect the coupling of tuner and audio signal processing means is also met or anticipated by **the selector 62 of Oh et al**, and claimed (3) set the receiver to a predetermined volume could also met or anticipated by **the amplifier 60 because amplifier 60 amplifies the audio signal to level range from 0.4 Vrms to 2 Vrms.**

Oh et al discloses in col. 4, lines 31-33 that "Further, the output of third selector 62 is also supplied to the **audio output jack MA for connection to an external speaker**". The last claimed (4) enables selective output of the two or more audio channel signals to a plurality external speakers and the one or more speakers, whilst

coupled to said input is also met or anticipated by the third selector 62 because the selector 62 selects output of the two or more audio channel signals to a plurality external speakers and the one or more speakers.

Furthermore, the claims are rejected under 35 U.S.C. 102(b) and there is no motivation is needed for the rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 4-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Oh et al (US Patent No. 5,646,699).

In considering claim 1, Oh et al discloses all the claimed subject matter, note 1) the claimed a tuner configured to receive and separate broadcast video and audio signals is met by the video signal processor 36 for selectively receiving and signal-processing the video signal V1 from television signal receiver 32 or a video signal V2 from compact disk player 34 (Fig. 3, col. 3, lines 14-32 and col. 4, lines 34-56), 2) the claimed a display screen coupled with a display driver arranged to receive and display video signals from the tuner is met by the CRT driver 48 and the CRT 10 (Fig. 3, col. 3, line 28 to col. 4, line 7), 3) the claimed one or more speakers coupled with audio signal processing means arrange to receive, process and output two or more audio channel signal from the tuner is met by the audio signal processor 38 and a pair of audio

converters (speakers)¹² (Fig. 3, col. 3, line 33 to col. 4, line 44), and 4) the claimed an input for a further audio signal, said input coupled to a control and switching means operable (1) to connect said input to the audio signal processing means, (2) disconnect the coupling of tuner, audio signal processing means, (3) set the receiver to a predetermined volume and (4) enables selective output of the two or more audio channel signals to a plurality external speakers and the one or more speakers, whilst coupled to said input is met by the amplifier 60 which is amplified in order to generate a single audio signal level from the different audio signals levels of the television audio signal A1 and the compact disk audio signal A2 and the third selector 62 (Fig. 3, col. 4, lines 8-65).

In considering claim 4, the claimed wherein the control and switching means is operable to connect the audio signal processing means for each channel to said input is met by the microprocessor 84 which generates switching control signals X1 to X6 for controlling the selectors 74, 44, 50, 54, 72 and 62, respectively (Fig. 3, col. 4, lines 8-65).

In considering claim 5, the claimed wherein said control and switching means is coupled to said display driver and is further operable to selectively disable video signal display on said display screen is met by the selector 44 which selects and outputs video signal V1 from television receiver 32 or video signal V2 from compact disk player 34 (Fig. 3, col. 3, lines 38-63).

In considering claim 6, the claimed further comprising user operable input means, wherein said display driver is configured to generate for display a menu of user

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selectable items including connection of said audio signal processing means to either the tuner or said input is met by the remote controller (Figs. 1 and 2, col. 2, line 58 to col. 3, line 27).

In considering claim 7, the claimed coupled with an audio receiver and, via the audio receiver, to the plurality of speakers, wherein the audio receiver has an output for a centre audio channel connected to said input of the television receiver is met by the audio output jack MA for connection to an external speaker such as the center audio channel and a pair of speakers 12 (Fig. 3, col. 3, lines 33-37 and col. 4, lines 8-44).

In considering claim 8, the claimed wherein the audio receiver comprises audio signal processing means connected to receive and process audio signals from the television receiver tuner and output at least some of the processed signals on the centre audio channel is met by the audio signal processor 38 (Fig. 3, col. 3, lines 33-37 and col. 4, lines 8-44).

In considering claim 9, the claimed further comprising one or more additional audio signal sources connected to the audio receiver is met by the plurality of externally input audio signals A11, A12 and S-A (Fig. 3, col. 4, lines 8-23).

In considering claim 10, the claimed further comprising one or more video plus audio signal sources coupled with the television receiver, the television being configured to pass audio signals from such sources to the audio receiver for processing is met by the external video signal (e.g., V11, V12, S-VHS) (Fig. 3, col. 4, lines 34-44 and col. 6, lines 21-38).

In considering claim 11, the claimed further including a user operable input means to enable selection of the audio signal processing means to either the tuner or input is met by the fifth selector 72 which selects and outputs an audio signal from television receiver 32 or at least one signal from among a plurality of externally input audio signals A11, A12 and S-A (Fig. 3, col. 4, lines 8-44).

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Trang U. Tran** whose telephone number is **(703) 305-0090**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John W. Miller**, can be reached at **(703) 305-4795**.

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Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

TT TT
September 29, 2003


MICHAEL H. LEE
PRIMARY EXAMINER